

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LUCINDA GOODMAN : CIVIL ACTION  
:   
v. :   
:   
:   
PARKWAY MORTGAGE, INC., et al. : NO. 02-3647

O R D E R

AND NOW, this                      day of March, 2003, upon consideration of plaintiff's Motion for Judgment by Default Against Mattleman Weinroth & Miller, P.C. (Doc. #13) and all responses thereto, as it appears that the default did not result from any culpable conduct by defendant, which claims never to have received notice of the summons and complaint; as defendant avers it has meritorious defenses to plaintiff's complaint; and, as it appears that plaintiff will not be unfairly prejudiced if the requested relief is granted, see Duncan v. Speach, 162 F.R.D. 43, 44-45 (E.D. Pa. 1995); Accu-Weather, Inc. v. Reuters Ltd., 779 F. Supp. 801, 802 (M.D. Pa. 1991), **IT IS HEREBY ORDERED** that said Motion is **DENIED**. **IT IS FURTHER ORDERED** that defendant shall file an answer or otherwise respond to plaintiff's Complaint within twenty (20) days of this Order.

BY THE COURT:

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Case Temporarily Assigned to:  
Senior Judge Clifford Scott Green